WPSS No. 1308 of 2007

Hon'ble Prafulla C. Pant, J.

Heard learned counsel for the petitioner, and learned Standing Counsel for the respondents.

By means of this writ petition, the petitioner has challenged the order dated 05.09.2007 (copy Annexure 1 to the writ petition), whereby petitioner has been directed to take charge at the place from where he has been transferred (i.e. G.I.C. Pajra, Rudraprayag).

The impugned order appears to have been passed in pursuance to the policy decision of the Government, which is reflected vide order dated 13.08.2007. Said Government order shows that the Government has expressed its concern towards the vacant posts lying in the schools of remote areas and in pursuance thereof certain transfer orders have been cancelled and the teachers have been directed to go back to their earlier place of posting. This Court is not inclined to interfere with the policy decision of the Government. The impugned order does not appear to have been passed due to malice. There appear no arbitrariness in transferring the petitioner, as petitioner is not the lone person transferred back in pursuance to the impugned Government Order No. 357./XXIV-2/2007, dated 13.08.2007. The impugned order is not against any statutory Rule. And petitioner has not completed five years of service in Durgam place.

The writ petition is therefore dismissed in limine.

(P.C.P., J.)

Dt. 13.9.2007
NS